

ACT OF THE COMMITTEE OF ESTATES

Against Run-awayes, and Fugitive Souldiers, and their Resetters.

Edinburgh, 11. Iuly, 1648.



THE Committee of Estates considering the prejudices that hath occurred to the publick service in former expeditions, by the base carriage of some Officers and Souldiers who run away from their Colours, and becomes fugitives, and that the like may fall out in this service, if tymous course be not tane for preventing thereof. Therefore they do Statute and Ordaine, That all those both of horse and Foot who shall run away from their Companies and Colours without a pals from the Lord General, or some of the Generall Officers, or at least from the chief Officer of the Regiment shall be apprehended by the Committees of War or any of them, by the Colonels of the Shire, Captains of Paroches or Magistrates within Burghs, or others, now authorized by this Act for that purpose wherever they can be apprehended. And that these by west or by north this Town be sent to the Tolbuith of *Edinburgh*; And these by south *Edinburgh* be sent with a guard to the Army or to the next Garrison to be punished according to the Articles of Military Discipline, or that the Committees of War and Colonells within ilk Shire, and Magistrates within Burgh

(if they shall think it expedient; for the terrifying of others) decimat the saids fugitives both Horse and Foot, and cause hang the tenth man; And if there be but one or more within the number of ten, to caule hang ane, and send the rest as aforesaid. And because the entertaining and resetting of thir Fugitives, embolden them to keep themselves still lurking, and encourageth others by their example to run away. Therefore it is Statute and Ordained, that whosoever shall resset or entertain any of the saids Fugitives, or shall have knowledge of their being within their bounds, and shall not delate and deliver them to the Committee of the Shire and Commissioners aftermentioned shall be liable in the sum of five hundreth Marks for ilk Horseman, and one hundreth pounds for ilk Footman, besides the making forth command the partie resset or another in his place. The one half to be employed for the publick expence in putting this Act into execution, and the other half thereof to the delaters, who shall qualifie the resset or concealment by witnesses, oath of partie or otherwayes. Likeas the Committee of Estates do hereby dispoine the right of the saids sums to be applied in manner foresaid. And because the travelling of persons through the Countrey without sufficient Passes may prove an obstruction to the due execution of this Act. The Committee doth hereby give warrand and Command to the Magistrates of Burghs, or any person on the Committee of War of the Shires, or any other who shall have Warrand by vertue hereof, to apprehend any person they shall finde travelling within their bounds without sufficient Passes from these that sent them: And that none be allowed to stay or reside in any Shire or Burgh, without sufficient Testimoniall from the Magistrates of the Burgh, or the Kirk Session where they last lived, under the pain of ane hundreth pounds to be incurred by the resetters and to be employed as aforesaid. And for the better and more punctuall execution of this Act: The Committee of Estates do hereby give power and Commission, express bidding, and charge to the persons underwritten, or both or either of them within their severall Shires by the advice of the Committee of War of the Shire. And if the Committee shall be unwilling, or delay to concur with them at their first meeting, than by advice of such of the Committee as wil joyn with them. And if none joyn with them as said is, that then both or either of them, by themselves take course to see this Act put in execution: That they appoint Commissioners in ilk Parosch to see it done within their bounds, and once each fortnight take ane accompt from them, and return it to the Committee of Estates: The Commissioners names are as followeth, For the Sherifffdom of *Berwick*, the Laird of *Langton*; For the Sherifffdom of *Haddington*, Sir *John Sinclair* of *Herdmeiston*, and Mr. *James Dunbame* of *Lusnes*; For the Sherifffdom of *Edinburgh*, Sir *John Dalmahey* of that ilk, and Sir *John Gibson* of *Alderston*; For the Sherifffdom of *Roxburgh*, the Sheriff of *Tiviotdail*; For the Sherifffdom of *Selkirk*, Sir *John Murray* of *Philiphauch*, and the Laird of *Whytbank*; For the Sherifffdom of *Dumfries*, the Laird of *Lag*; For the Sherifffdom of *Peebles*, the Laids of *Prestongrange* and *Dawick*; For the Sherifffdom of *Lanerk*, the Lord *Lee* and *James Hamilton* of *Boigus*; For the Sherifffdom of *Lithgow*, *William Drummond* of *Ricarton* & *Hammlton* of *Binnie*; For the Sherifffdom of *Stirling*, the Laids of *Polmaiz* & *Carden*; For the Shire of *Clackmannan*, the Laird of *Sanchie*; For the Shire of *Air*, the L^{ds}. of *Culloin* & *Kilbirnie*; for the Shire of *Renfrew* the L^{ds}. of *Duchal* & *Howison*; for the Shire of *Wigtown* & *Kirkcudbright*. For the Shire of *Fyffe*, the L^{ds}. of *Reres* & *Cambo*; For the shire of *Perth*, the L. of *Inchmartine* & *Balshayok*; For the shire of *Forfar*, the L^{ds}. of *Balnemoon* & *Fintrie*; For the shire of *Kincardine*, Laids of *Pittarro* & *Morphie*; For the Shire of *Aberdeen* the Laird of *Udine* and *Patrick Leslie* Provost of *Aberdeen*; For the shire of *Bamff*, the Laird of *Birkinboig* younger and Troup; For the shires of *Elgine* and *Nairn*, the Laids of *Innes* and Sheriff of *Murray*; For the shire of *Inverness* Sir *John Mackenzie* and Colonel *Robert Home*. And the Committees Ordains this Act to be Printed and Published, and that the Commissioners aforementioned to be carefull that this Act be duely published at the Mercat Crosses of the Burghs and Parosch Kirks within their Shires, Wherethrough none pretend ignorance thereof, *Extractum.*

Arch. Primerose,